



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Peter M. von Dyck, et al.)
Application No. 09/995,012) Group Art Unit: 3743
Filed: 11/26/2001)
For: Pad for Use with Continent Ostomy Port)
Attorney Docket No.: 713072.28 (now 75470-027))

November 17, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATUS LETTER

Dear Sir:

We submitted an amendment placing the application in condition for allowance electronically on August 4, 2005, per Examiner Kim Lewis' instruction that date. The USPTO PAIR website does not yet show our amendment. Would you please advise the undersigned of the status of the application.

A copy of the amendment and electronic correspondence is enclosed for your convenience.

Respectfully submitted,



Rebecca J. Brandau, Reg. No. 33,654
Husch & Eppenberger, LLC
160 Carondelet Plaza, Suite 600
St. Louis, Missouri 63105
Telephone: 314-480-1500

11-18-05

3743
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EXPRESS MAIL CERTIFICATE OF MAILING (37 CFR 1.10)

Express Mail No.: EV697643231US

Docket No.

75470-027

Applicant(s): Peter M. von Dyck, et al.

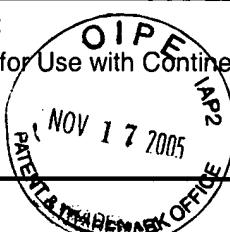
Serial No.
09/995,012

Filing Date
11/26/2001

Examiner
Kim Lewis

Group Art
3743

Title:
OIPF
Pad for Use with Continent Ostomy Port



TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

Transmitted herewith is:

Status Letter

Copy of electronic correspondence dated August 4, 2005 to Kim Lewis with amendment attached

Copy of electronic correspondence dated August 5, 2005 from Kim Lewis acknowledging receipt

Copy of amendment


Signature

Dated: November 17, 2005

Rebecca J. Brandau, 33,654
Husch & Eppenberger, LLC
190 Carondelet Plaza
St. Louis, MO 63105
314-480-1500
314-480-1505 FAX

Customer No. 029493

I certify that the document and fee is being deposited on November 17, 2005 with the U.S. Postal Service as Express Mail under 37 C.F.R. 1.10 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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Signature of Person Mailing Correspondence

Karen K. Sonsteb
Typed or Printed Name of Person Mailing Correspondence

COPY

Sonsteby, Karen

From: Sonsteby, Karen
Sent: Thursday, August 04, 2005 3:13 PM
To: 'kim.lewis@uspto.gov'
Cc: Brandau, Rebecca
Subject: U.S. Pat. App. No. 09/995,012; Our Ref.: 75470-027



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oc (53 KB)

Attn: Examiner Kim Lewis:

Pursuant to your telephone interview today, attached is an amendment from Ms. Rebecca J. Brandau regarding U.S. Patent Application No. 09/995,012.

Karen K. Sonsteby
Legal Assistant to Rebecca Brandau

*Karen K. Sonsteby
Legal Assistant
Husch & Eppenberger, LLC
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105-3441
(314) 480-1878 Direct Dial No.*

COPY**Sonsteby, Karen**

From: Lewis, Kim [Kim.Lewis@USPTO.GOV]
Sent: Friday, August 05, 2005 11:38 AM
To: Sonsteby, Karen
Subject: RE: U.S. Pat. App. No. 09/995,012; Our Ref.: 75470-027

Karen,

Thank you for forwarding me the amendment.

Kim Lewis

-----Original Message-----

From: Sonsteby, Karen [mailto:Karen.Sonsteby@Husch.com]
Sent: Thursday, August 04, 2005 4:13 PM
To: Lewis, Kim
Cc: Brandau, Rebecca
Subject: U.S. Pat. App. No. 09/995,012; Our Ref.: 75470-027

<<2102490v1.doc>>

Attn: Examiner Kim Lewis:

Pursuant to your telephone interview today, attached is an amendment from Ms. Rebecca J. Brandau regarding U.S. Patent Application No. 09/995,012.

Karen K. Sonsteby
Legal Assistant to Rebecca Brandau

*Karen K. Sonsteby
Legal Assistant
Husch & Eppenberger, LLC
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105-3441
(314) 480-1878 Direct Dial No.*

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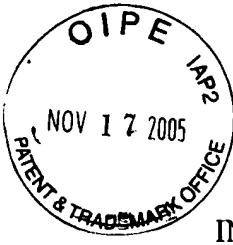
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Peter M. von Dyck, et al.	Group Art No.: 3743
Serial No.: 09/995,012	Atty. Docket No.: 713072.28 (now 75470-027)
Filed: 11/26/2001	
For: Pad for Use with Continent Ostomy	Examiner: Lewis, Kim M.
Port	

MAIL STOP AMENDMENT
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT D AND RESPONSE

HONORABLE SIR:

Responsive to the official communication of July 12, 2005, Applicants submit this
Amendment and Response.

It is not believed that extensions of time are required beyond those, which may otherwise
be provided for in documents accompanying this Amendment. However, in the event that
additional extensions of time are necessary to prevent abandonment of this application, then such
extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees required
therefore are hereby authorized to be charged to our Deposit Account 08-3460.

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Amendments to the Claims:

In accordance with 37 CFR § 1,121, and in keeping with the Examiner's agreement with undersigned reached August 4, 2005 in a telephone conference, please amend the above-identified application as set forth below.

Claims 1-37 (Canceled)

38. (Currently amended) A pad for use with a continent ostomy port, the pad comprising a body portion having an internal wall defining an aperture appropriately sized to place around a stoma, the body portion of the pad being sized and shaped for placement against a user's skin beneath a face plate of an ostomy port, the pad being formed of a soft, flexible material to thereby cushion and protect the skin from contact with the ostomy port face plate, wherein the body portion of the pad has a stepped configuration on a distal surface thereof, the stepped configuration consisting of at least two distinct levels ; and

wherein the at least two distinct levels comprise a first level and a second level, the first level having a perimeter sized and shaped appropriately to readily fit within a perimeter of a face plate lip of a continent ostomy port, and the second level extending parallel to the first level and having a perimeter extending beyond the perimeter of the first level, beneath the lip of the plate, to thereby protect the user's skin from friction irritation.

39. (Canceled)

40. (Original) The pad of claim 38, wherein the pad is formed of a material which is readily disposable.

41. (Original) The pad of claim 38, wherein the pad is formed of a material that is capable of

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being facilely cleaned and reused.

42. (Original) The pad of claim 38, wherein the distal surface of the pad is coated with a thin, liquid impermeable skin to thereby trap wicked moisture within the pad.

43. (Original) A pad for use with a continent ostomy port, the pad comprising a body portion having an internal wall defining an aperture appropriately sized to place around a stoma, the body portion of the pad being sized and shaped for placement against a user's skin beneath a face plate of an ostomy port, the pad being formed of a soft, flexible material to thereby cushion and protect the skin from contact with the ostomy port face plate, wherein a distal surface of the pad is coated with a thin, liquid impermeable skin to thereby trap wicked moisture within the pad.

44. (Original) The pad of claim 43, and further wherein the liquid impermeable skin is permeable to air, to thereby permit the pad area to breathe.

45. (Original) The pad of claim 43, wherein the pad is formed of a material which is readily disposable.

46. (Original) The pad of claim 43, wherein the pad is formed of material that is capable of being facilely cleaned and reused.

47. (Original) A pad for use with a continent ostomy port, the pad comprising a body portion defining an aperture appropriately sized to place around the catheter of a continent ostomy port, the body portion of the pad being sized and shaped for placement against a user's skin beneath a face plate of the ostomy port, the pad being formed of a soft, flexible material to thereby cushion and protect a user's skin from contact with the ostomy port face plate, wherein the pad body portion has a distal surface provided with a central indented region to thereby accommodate the distal portions of the continent ostomy port.

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48. (Original) The pad of claim 47, wherein the central indented region of the distal surface of the pad body portion is generally cross-shaped.
49. (Original) The pad of claim 47, wherein the central indented region of the distal surface of the pad body portion has a substantially flat floor.
50. (Original) The pad of claim 47 wherein the central indented region of the distal surface of the pad body portion has a floor that defines the aperture for placement around a catheter of the continent ostomy port.
51. (Original) The pad of claim 47, wherein the distal surface of the pad is domed and the central indented region includes two opposed channels extending radially away from the center of the pad, to thereby permit access to a finger grip on a distal end of the continent ostomy port.
52. (Original) The pad of claim 47, wherein the central indented region includes two opposed cut-out areas extending radially away from the center of the pad, to thereby accommodate structural features on a distal end of the continent ostomy port.
53. (Original) The pad of claim 47, wherein the pad includes a proximal surface having a depending ring disposed coaxially with the aperture in the pad and spacedly outwardly therefrom.
54. (Original) The pad of claim 53, and further comprising a channel formed between the depending ring and the perimeter of the pad.
55. (Original) The pad of claim 53, and further comprising a layer of adhesive on the proximal surface of the pad.
56. (Original) The pad of claim 47, wherein the pad is formed of a disposable material
57. (Original) The pad of claim 47, wherein the pad is formed of a material which can be cleaned and reused.

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58. (Original) The pad of claim 47, wherein the body of the pad is generally oval.
59. (Original) The combination of a pad for use with a continent ostomy port and a shim, wherein the pad comprises a body portion defining an aperture appropriately sized to place around the catheter of a continent ostomy port, the body portion of the pad being sized and shaped for placement against a user's skin beneath a face plate of the ostomy port, the pad being formed of a soft, flexible material to thereby cushion and protect a user's skin from contact with the ostomy port face plate, wherein the pad body portion has a distal surface provided with a central indented region to thereby accommodate distal portions of the continent ostomy port, wherein the pad includes a proximal surface; and a shim having a through hole positioned coaxially with the aperture in the pad on the side of the proximal surface of the pad.
60. (Original) The combination of claim 59, wherein the pad has a depending ring on the proximal surface thereof, the depending ring being disposed coaxially with the aperture in the pad and spaced radially outwardly therefrom to thereby provide a channel between the depending ring and the perimeter of the pad and the shim has an overall size and shape to permit the shim to fit snugly within the channel formed in the proximal surface of the pad.
61. (Original) The combination of claim 59, wherein the shim has an overall size and shape sufficient to permit the shim to hold the pad away from the user's skin.
62. (Original) The combination of claim 59, and further comprising a layer of adhesive on the proximal surface of the pad.
63. (Original) The combination of claim 59, wherein the perimeter of the pad is substantially oval.
64. (Original) The combination of claim 59, wherein the body of the pad is generally domed.

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65. (Original) The combination of claim 59, wherein the distal surface of the pad is coated with a thin, liquid impermeable skin to thereby trap wicked moisture within the pad.

66. (Original) The combination of claim 59, and further comprising a layer of adhesive on at least one of the distal side and the proximal side of the shim.

67. (Previously amended) A method for protecting the skin of a user around a stoma of the user, comprising:

attaching a pad around a continent ostomy port, the pad having a body portion defining an aperture appropriately sized to place around a catheter of the continent ostomy port, and a distal surface provided with a central indented region to thereby accommodate distal portions of the continent ostomy port; and

positioning the pad beneath a face plate of the ostomy port against the user's skin for cushioning and protecting the user's skin from contact with the ostomy face plate.

68. (Original) The method of claim 67, and further comprising the step of providing a shim having a through-hole and positioning the shim so that the through-hole aligns with the aperture in the pad.

69. (Original) The method of claim 68 wherein the pad includes a proximal surface having a depending ring disposed coaxially with the aperture in the pad and spacedly outwardly therefrom and a channel formed between the depending ring and the perimeter of the pad, and the method further comprises disposing the shim snugly within the channel formed in the proximal surface of the pad between the depending ring and the perimeter of the pad.

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REMARKS

I. *Amendment to the Claims*

Claims 38-69 were pending in the application. Claims 47-69 are allowed. In keeping with the Examiner's help comments in the action dated July 12, 2005 and the telephone conference with the undersigned, claim 39 has been re-written into independent claim 38. This claim 38 and all claims 40-46 which depend therefrom are now in condition for allowance. Accordingly, all claims 38, 40-69 should now be allowable.

Prompt and favorable consideration of this Amendment is respectfully requested. If anything further is required, a telephone call to the undersigned is invited.

Respectfully submitted,

/Rebecca J. Brandau/

By: Rebecca J. Brandau, Reg. No. 33,654
Husch & Eppenberger, LLC
190 Carondelet Plaza
St. Louis, MO 63105
314-480-1872
314-480-1505 FAX